

TUESDAY, APRIL 20, 1909.

Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (20th District), Baker (29th District), Beard, Broome, Buckman, Crill, Cooke, Cone, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, Miller, Sams, Sloan, West, Williams, Withers—29.

A quorum present.

Prayer by the Chaplain.

By unanimous consent the reading of the Journal of April 19 was dispensed with.

The Journal of April 19 was corrected.

The Journal of April 19 was approved as corrected.

Mr. Beard moved that the Senate proceed to the election of a United States Senator at 12 o'clock m. today.

Which was agreed to.

And so 12 o'clock, noon, was set as a special order for a vote by the Senate for a United States Senator.

Mr. Baker, of the 20th, chairman of the Committee on Pensions, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 20, 1909.

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on Pensions, to whom was referred—

Senate Bill No. 79:

A bill to be entitled an act to make an additional appropriation to aid in the erection of a monument at the battlefield of Olustee, Florida.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

D. H. BAKER,
Chairman of Committee.

And Senate Bill No. 79, contained in the above report, was placed on the calendar of bills on second reading.

Mr. W. E. Baker, chairman of the Committee on County Organization, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 19, 1909.

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on County Organization, to whom was referred—

Senate Bill No. 155:

A bill to be entitled an act to affirm the right of the City of Sanford to receive annually one-half of the amount realized from the road and bridge taxes of Orange county on property within the limits of that city.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

W. E. BAKER,
Chairman of Committee.

And Senate Bill No. 155, contained in the above report, was placed on the calendar of bills on second reading.

Mr. W. E. Baker, chairman of the Committee on County Organization, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 19, 1909.

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on County Organization, to whom was referred—

Senate Bill No. 137:

A bill to be entitled an act to amend Sections 17 and 18 of the General Statutes of this State, relative to the boundary lines of Gadsden and Liberty counties.

Have had the same under consideration and report without recommendation.

Very respectfully,

W. E. BAKER,
Chairman of Committee.

And Senate Bill No. 137 contained in the above report, was placed on the calendar of bills on second reading.

Mr. Johnson, chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 19, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your committee on Public Roads and Highways, to whom was referred—

Senate Bill No. 154:

A bill to be entitled an act prohibiting the use of log carts or lever carts upon any of the public roads within the State of Florida, with certain exceptions thereto.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

J. B. JOHNSON,
Chairman of Committee.

And Senate Bill No. 154, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Hosford, chairman of the Committee on Agriculture and Forestry, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 19, 1909.

Hon F. M. Hudson,

President of Senate:

Sir:

Your Committee on Agriculture and Forestry, to whom was referred—

Senate Bill No. 121:

A bill to be entitled an act to fix the standard of cottonseed meal sold in this State; to prohibit the sale of inferior cottonseed meal without notice to the public; to prohibit the misbranding of cottonseed meal, and providing penalties for violations of this act.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
R. F. HOSFORD,
Chairman of Committee.

And Senate Bill No. 121, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Broome, chairman of the Committee on Engrossed Bills submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 19, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 57:

A bill to be entitled an act to amend Section 28 of Chapter 4883 of the Laws of Florida, being an act to amend the city charter of the city of Tampa.

Also—

Senate Bill No. 20:

A bill to be entitled an act to punish spitting and smoking inside suburban and interurban cars propelled by electricity and operated as common carriers of passengers in this State, and prescribing the duties of the common carriers operating and the conductor or other person in charge of such car, and providing a penalty for the failure of such common carrier operating and of the conductor or other person in charge of such car to comply with and enforce the provisions of this act.

Also—

Senate Bill No. 2.

A bill to be entitled an act to secure to the pupils of

Florida schools text-books at reduced prices; to provide special editions of said books at low prices; to empower County Boards of Public Instruction to adopt such books if desired; to authorize County Boards of Public Instruction to make contracts with publishers; to provide for the filing of contracts; to provide for children who move from one county to another; to provide a penalty for any dealer, clerk or agent who may sell school text-books at greater prices than in contracts entered into between Boards of Public Instruction and publishers, and for other purposes.

Also—

Senate Bill No. 116:

A bill to be entitled an act to permit any street railway company now or hereafter incorporated under the laws of Florida to sell, lease or otherwise transfer its property, franchises and assets to any other company authorized to acquire the same by purchase, lease or otherwise, and providing a method therefor.

Beg leave to report that having carefully examined said bill, return same herewith, correctly engrossed.

Very respectfully,

J. E. BROOME,
Chairman of Committee.

And Senate Bills Nos. 57, 20, 2 and 116, contained in the above report, were placed on the calendar of bills on third reading.

Mr. Broome, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 20, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 62:

A bill to be entitled an act to authorize the State Board of Health to adopt, promulgate and enforce rules

and regulations for the betterment and protection of the public health of the State of Florida.

Also—

Senate Joint Resolution No. 68.

Proposing an amendment to Article XIX of the Constitution of the State of Florida, relating to the manufacture and sale, or other disposal of intoxicating liquors or beverages.

Beg leave to report, that having carefully examined said bills and resolution return them herewith correctly engrossed.

Very respectfully,

J. E. BROOME,

Chairman of Committee.

And Senate Bill No. 62 and Senate Joint Resolution No. 68, contained in the above report, was placed on the Calendar of Bills on Third Reading.

Mr. Johnson offered the following—

Senate Resolution No. 29:

Resolved, That the Sergeant-at-Arms of the Senate do procure and furnish each Senator's desk with a copy of the Comptroller's Biennial Report.

Which was read the first time.

Mr. Johnson moved the adoption of the resolution.

Which was agreed to.

And the resolution was adopted.

Mr. Johnson offered the following—

Senate Resolution No. 30:

Resolved, That the Senate Committees on Finance and Taxation and Appropriations, jointly, do have prepared the general appropriation bill so that same may be introduced and in the hands of the Senators at least twenty days before the adjournment of this session.

Which was read the first time.

Mr. Johnson moved the adoption of the resolution.

Which was agreed to.

And the resolution was adopted.

Mr. Buckman moved that the rules be waived and that Senate Joint Resolution No. 68 be recalled from

the Committee on Engrossed Bills and that the same be placed back on the Calendar of Bills on the Second Reading.

Mr. Cone moved as a substitute to the motion of Mr. Buckman, that Senate Joint Resolution No. 68 be laid on the table subject to call.

The substitute was not agreed to.

The question recurred upon the motion of Mr. Buckman to recall the Joint Resolution from the Committee on Engrossed Bills.

The motion was not agreed to.

INTRODUCTION OF BILLS.

By Mr. Williams—

Senate Bill No. 178:

A bill to be entitled an Act to encourage, protect, regulate and develop the oyster industry of the State of Florida, and to increase the revenues of the State therefrom by recognizing and declaring the ownership of the State in and to the bottoms or beds of the bodies or streams of water along the coast of the Gulf of Mexico and along the coast of the Atlantic Ocean, and the waters of the Gulf of Mexico and the Atlantic Ocean within the jurisdiction of the State of Florida not heretofore granted or conveyed, for the purpose of giving exclusive rights to plant oysters; by prohibiting other alienation of same in fee; by recognizing and declaring the ownership of the State in and to all reefs of oysters growing naturally thereon; by granting in fee simple the rights of the riparian proprietors to the oyster reefs above low water mark, for the protection of those heretofore engaged in the growing of oysters; by creating the office of Oyster Commissioner of the State of Florida, and defining its powers and duties; by providing for the leasing of oyster lands belonging to the State; by providing for the licensing, registration and designation of vessels employed in the oyster industry; by levying a special assessment or privilege tax on oysters produced in said waters, and a police license on persons, firms, corporations and vessels engaged in the oyster industry; by providing for the manner of collecting, handling, depositing and disbursing the revenues derived from said industry, and the distribution of the surplus revenues; by provid-

ing for the protection of the natural oyster reefs of this State and for the creation of artificial reefs or beds; by providing such other regulations and provisions as are necessary to properly carry out the objects and purposes of this Act;; by providing penalties for the violation of this Act; and by providing for the repeal of all laws on the same subject matter and in conflict with the provisions of this Act.

Which was read the first time by its title and referred to the Committee on Game and Fisheries.

Mr. Dayton moved that 250 copies of the bill be printed.

Which was agreed to.

By Mr. Massey—

Senate Bill No. 179:

A bill to be entitled an act to give the city of Orlando a lien upon private property for work done by the city where necessary for public health or convenience.

Which was read the first time by its title and referred to the Committee on Municipalities.

By Mr. Hosford—

Senate Bill No. 180:

A bill to be entitled an act to amend Section 3898 of the General Statutes of the State of Florida, the same being relative to the criminal jurisdiction of justices of the peace.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Hosford—

Senate Bill No. 181:

A bill to be entitled an act to appropriate one thousand dollars annually to assist in publishing the Annual Proceedings of the Florida State Horticultural Society and the free distribution thereof to the citizens of Florida.

Which was read the first time by its title and referred to the Committee on Agriculture.

By Mr. Hosford—

Senate Bill No. 182:

A bill to be entitled an act to require attendance upon the public schools of Florida for four scholastic months

in each year between the ages of eight and fifteen years:

Which was read the first time by its title and referred to the Committee on Education.

Mr. Hosford moved that 200 copies of the bill be printed.

Which was agreed to.

By Mr. Baker, of the 20th District—

Senate Bill No. 183:

A bill to be entitled an act to amend Section 2919 of the General Statutes, relative to allowance of free or reduced rates by common carriers.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. West—

Senate Bill No. 184:

A bill to be entitled an act to require Sheriffs of the State of Florida to file a list of the names of their deputies with the Boards of County Commissioners.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Leggett—

Senate Bill No. 185:

A bill to be entitled an Act requiring railroad companies and other common carriers to furnish separate accommodations for the separation of white and colored passengers on railroads, and conferring certain powers on the Railroad Commissioners of the State of Florida in relation thereto.

Which was read the first time by its title and referred to the Committee on Railroads.

By Mr. Zim—

Senate Bill No. 186:

A bill to be entitled an Act to provide for the proper labeling of goods made by convicts and by child labor; and prescribing penalties for violation of this act.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Zim—

Senate Bill No. 187—

A bill to be entitled an Act to prevent coercion in certain cases; and providing a penalty for violation of the provisions of this act.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Zim—

Senate Bill No. 188:

Defining what shall constitute a day's labor for conductors and motormen in the employ of street railways or other transit companies, prescribing age limit for motormen; and prescribing penalties for violation of the provisions of this act.

Which was read the first time by its title and referred to the Committee on Organized Labor.

By Mr. Zim—

Senate Bill No. 189:

A bill to be entitled an act defining what shall constitute a day's labor for mechanics and laborers employed by or in behalf of the State of Florida, or of any county, city or town therein, and prescribing penalties for violation of this act.

Which was read the first time by its title and referred to the Committee on Organized Labor.

CONSIDERATION OF RESOLUTIONS.

Senate Concurrent Resolution No. 3:

Be it Resolved by the Senate, the House of Representatives concurring, That a committee of eight, consisting of three members of the Senate and five members of the House of Representatives, be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, to visit, inspect and report upon the progress and conditions of the work of reclaiming the Everglades at Fort Lauderdale and other points, now being carried on by the Trustees of the Internal Improvement Fund of the State of Florida, and also to visit, inspect and report upon the conditions and progress of the extension of the Florida Coast Line Canal and Transportation Company's work of extending their canal from St. Augustine to St. Johns River.

Was taken up and was passed over informally.

MESSAGES FROM GOVERNOR.

The following message from the Governor was read:

State of Florida.
Executive Office,
April 19, 1909.

Gentlemen of the Legislature:

Your attention is respectfully invited to the following extract from a recent communication from the Board of Control:

"But for the future, if the Legislature of Florida would have a University free from control in matters of detail by the Board of Education, the members of which are not, and cannot, in the nature of things, be cause of other duties, be familiar with the work and with the teachers employed, which we believe was the intention of said Chapter 5384, then it is incumbent upon it to so amend Chapter 5384 as that the Board of Control shall be supreme in the selection of presidents and teachers, and in the detail management of the institutions of higher education established and supported by the State. Unless this be done, Florida will be practically alone in her attempt to confer upon one board, to-wit: The Board of Control, the power to elect faculties, and then to deprive that Board of its power by conferring upon another Board, to-wit. the State Board of Education, the appellate and supervisory power to set aside any selection made by the Board of Control, and thereby practically to dictate the selection of a president or any teacher."

"It is unreasonable to expect that a man suited to be president of the University would accept employment by the Board of Control, subject to be discharged at any time by the Board of Education, the members of which, because of other duties, cannot be familiar with the man and his work." Page 73 Senate Journal April 12, 1909. Page 4, House Journal, same date.

Upon advice of the Attorney General, the State Board of Education decided that Chapter 5384 did give supervisory powers to said Board. The Board unanimously decided that a change in the presidency of the University of Florida was advisable and would be for the best in-

terests of that institution. This is the first and only time in four years that the State Board of Education has seen fit to make use of such powers. As to whether "it is unreasonable to expect that a man suited to be President of the University would accept employment by the Board of Control, subject to be discharged at any time by the Board of Education," it is to be observed that whether it is "unreasonable" or not, the gentleman who was recently selected by the Board of Control to be President of the University, and the gentleman who was recently selected by the Board of Control to be President of the Florida Female College 'have accepted' employment. The State Board of Control intimates that the action of the Board of Education is "a reflection upon our management of the University." The State Board of Education did not intend any reflection upon the management of the Board of Control. The State Board of Education unanimously decided that for the best interests of the University a change was desirable. That is all.

As to the unreasonableness of any supervisory control over the actions of the Board of Control, your attention is invited to the following:

The trustees of the various school districts in Florida are, in many respects, subject to the supervisory control of the various County Boards of Education. The educational matters of the State are, in some respects, subject to the supervision of the State Board of Education. The appointments of the Governor are subject to confirmation by the Senate. The acts of the Legislature are subject to approval or veto by the Governor. The Constitutional amendments passed by the Legislature are subject to the approval or veto of the qualified electors. There is no religious organization in the world in which the actions of those in immediate charge are not subject to the approval or rejection of the conference, presbytery or some convention of the same. There is no well conducted business organization in the world in which the actions of those in immediate charge are not subject to the action of some higher power, usually denominated directors. There does not appear to me to be any reason to presume that the personnel of the Board of Control in some future ages might not be of such a nature as to require supervisory control by some higher power. Kipling says that one of the most conclusive proofs to him that there is a God is

that there must be a higher power which would have supervision over the highest powers in the British Empire. Whether the Board of Control should be the only organization in the world which should be exempt from responsibility to supervisory powers, except, perhaps, the King of Timbuctoo, who is not an organization, is a matter for your earnest consideration.

Very respectfully,
ALBERT W. GILCHRIST,
Governor.

Mr. Cone moved that the message be received and spread upon the Journal.

Which was agreed to, and so ordered.

Also, the following message from the Governor was read:

State of Florida,
Executive Chamber,
Tallahassee, Fla., April 19, 1909.

Gentlemen of the Legislature:

For your information I have the honor to transmit herewith report submitted to me by the Commissioner of the State of Florida for the Promotion of Uniformity of Legislation in the United States, and to ask that the same have your careful consideration.

Very respectfully,
ALBERT W. GILCHRIST,
Governor.

Tallahassee, Fla., March 9, 1909.

*To His Excellency, Albert W. Gilchrist,
Governor of the State of Florida.*

Sir:

The Commissioners of this State for the Promotion of Uniformity of Legislation in the United States are required to report to the Governor prior to each session of the Legislature. Chapter 4447, Laws of Florida.

The seventeenth annual conference of the Commissioners on Uniformity of State Laws was held in Portland, State of Maine, in August, 1907. The conference recommended that the Federal Pure Food and Drugs Act

be considered as the type or model of an act to be adopted by the various States, with such changes as are necessary to adapt it to the conditions prevailing in each individual State. The Conference of Commissioners recommended to the various States for adoption "an act to make uniform the law regulating annulment of marriage and divorce;" also "an act providing for return of statistics relating to divorce proceedings;" also "an act providing for return of marriage statistics." These are the acts approved and recommended to each of the States for adoption by the congress on divorce, which assembled in Washington City in 1906. Copies of each of these acts were filed with my report to the Governor in February, 1907. "An act to make uniform the law of partnership;" "an act to make uniform the law of bills-of-lading;" "an act to make uniform the law of certificates of stock," were considered and deferred to the next annual meeting for further consideration.

The eighteenth annual conference of the Commissioners was held in Seattle, State of Washington, in August, 1908. Much of the time of this session was given to the consideration of a uniform law for certificates of stock and a uniform law of partnership. The preparation of a uniform incorporation law and a uniform carrier law was provided for. No additional new law was recommended to the States for adoption by this conference.

Respectfully submitted,

(Signed)

R. W. WILLIAMS,

Commissioner of the State of Florida for the Promotion
of Uniformity of Legislation in the United States.

Mr. Cone moved that the message be received and spread upon the Journal.

Which was agreed to and so ordered.

Also, the following message from the Governor was read:

State of Florida,
Executive Chamber,
Tallahassee, Fla., April 19, 1909.

Gentlemen of the Legislature:

I am requested by the Commissioners, who represent the various counties at the Florida Mid-Winter State Fair,

to transmit the attached resolutions relative to State, district and county fairs, for the information of the Legislature.

Very respectfully,
ALBERT W. GILCHRIST,
Governor.

The report of the Committee on Resolutions was unanimously adopted, and read as follows:

That State fairs are a benefit to the people goes without saying; that the present one at Tampa (1909) is a splendid display of Florida's vast resources is not to be questioned. The Commissioners of the various counties represented feel it incumbent upon themselves to make a plain statement of facts to the people. We believe that the present appropriation of \$15,000 for premiums to a State fair should be continued by the Legislature.

Second. We believe that the Legislature should get together and, where county or district fairs are held, that an amount for each should be appropriated, not to exceed \$2,500 in each case, to be used for premiums alone, but only to be available on condition that the Fair Association in a county or district raise a like amount for the same purpose—premiums only.

Third. We are further of the opinion that the further down in the State the main exhibition is held the greater will be the benefit to Florida as a whole, because it necessitates that the winter visitors shall see the various soils and conditions under which the different crops are growing.

Fourth. We believe further, that in case the Legislature should grant aid to the various county or district fairs, it should make it incumbent on said district or county fairs to make exhibits in the State Fair.

Fifth. Believing these things as we do, we therefore offer the following resolutions:

Resolved, That the Legislature of Florida be requested and urged to continue the appropriation of \$15,000 per year for the purpose of paying the premiums thereat under such restrictions as to it may seem best. Our reasons for advocating a State Fair are that we have twice as much to gain by holding said Fairs as any of the more developed States, nearly all of which hold annual fairs.

First. The advantage of the stimulus given our pro-

ducers by a comparison of products, and by bringing out such comparison, educates our people to the immense possibilities of our various sections.

Second. At this season of the year we find by experience the most numerous class of patrons of the fair are the people from other states and counties, who come to Florida to enjoy our incomparable winters, and if the people of our State could hear the exclamations of surprise by this class when they view our products they would feel the small appropriation would be amply repaid by the reports that this class must and do carry to their homes.

Resolved further, That we believe that the Florida Department of Agriculture and representatives from the State experiment station should be present at these fairs and take a prominent part in the selection of judges and all matters pertaining to its success, that the next premium list be reviewed under their direction so as to adapt it to the changed conditions. This body stands ready to aid them in such revision.

Resolved further, That copy of this report be sent to the Governor of this State, Honorable Albert W. Gilchrist, signed by the Chairman and Secretary of the Board of Commissioners, with the request that he transmit the same to the Legislature when it assembles in April next.

(Signed) ED. SCOTT, Chairman.

W. STANLEY HANSON, Secretary.

Upon motion the meeting adjourned February 19, 1909.

DeSoto County Booth Commissioners met February 26, 1909, all present.

The following resolutions were adopted:

Whereas, We, the Commissioners of the various counties, at a previous meeting, passed resolutions recommending to the Legislature and the people of Florida, certain appropriations to be made for the State and county fairs. Be it further

Resolved, That it is the sense of this body that no appropriation be made except on condition that all public pool selling and other gambling devices be eliminated under forfeiture of any appropriation.

Copies of this resolution be forwarded to the Governor

for presentation at the next session of the Legislature and furnish to the press.

(Signed) ED. SCOTT, Chairman.

W. STANLEY HANSON, Secretary.

The following resolution was passed to Thomas J. L. Brown and associates of the Florida Mid-Winter State Fair:

That the Commissioners of the various counties hereby communicate to you our appreciation of the business-like manner in which this fair just closing, has been conducted. Also the fair and impartial treatment extended us will be communicated to the people we represent and will reflect credit upon your city and community and give you prestige for future relationship. Trusting that the Florida State Mid-Winter Fair will mark an epoch of great prosperity to our State and work much good to educate and harmonize our people and bring them together as one great unit to develop our great resources and show to the world our wonderful and unlimited possibilities.

C. H. HOFFNER,

Chairman Committee on Resolutions.

Mr. Cone moved that the message be received and spread upon the Journal.

Which was agreed to and so ordered.

ORDERS OF THE DAY.

The motion of Mr. Sloan to reconsider the vote by which—

Senate Bill No. 54:

A bill to be entitled an act to amend Chapter 5690 of the Laws of Florida, relative to the sale of liquors in counties or precincts voting against such sale, and also relating to selling liquors without a license;

Passed the Senate.

Was taken up:

Upon the question to reconsider the vote by which Sen-

ate Bill No. 54 passed the Senate, it was agreed to by a two-thirds vote, and the bill recalled to its passage.

Mr. Sloan moved to waive the rules and place Senate Bill No. 54 back on the calendar of bills on the second reading.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 54 was placed on the calendar of bills on second reading.

Mr. Harris moved that the Secretary be instructed to inform the Public Printer of error in printing Senate Bill No. 172, and that he be required to reprint the bill as it is.

Which was agreed to, and so ordered.

CONSIDERATION OF BILLS ON THE SECOND READING.

Senate Bill No. 125:

A bill to be entitled an act to amend Section 2024 of the General Statutes of the State of Florida, relating to granting of rights of way.

Was taken up and passed over informally.

Senate Bill No. 134:

A bill to be entitled an act to create the Florida State Board of Dental Examiners, to prescribe their duties, to regulate the manner of issuing certificates to practice dentistry and dental surgery in the State of Florida, to regulate the practice of dentistry and dental surgery and to repeal an act herein named.

Was taken up and passed over informally.

House Bill No. 17:

A bill to be entitled an act providing for the creation of Palm Beach county in the State of Florida, and for the organization and government thereof.

Was taken up and passed over informally.

Senate Bill No. 113:

A bill to be entitled an act to make mandatory at least one high school in every county.

Was taken up and read the second time in full.

Mr. Cone moved that the bill be laid on the table, subject to call.

Which was agreed to, and so ordered.

Senate Joint Resolution No. 70:

A joint resolution proposing an amendment to Section 1, of Article X, of the Constitution of the State of Florida, relative to homestead and exemptions.

Was taken up and read the second time in full.

Mr. Sams, acting Chairman of the Committee on Constitutional Amendments, as required by the rule, moved to indefinitely postpone the Joint Resolution.

Mr. Miller moved as a substitute that the Joint Resolution be laid on the table subject to call.

The substitute was agreed to, and Senate Joint Resolution No. 70 was placed on the table subject to call.

Senate Bill No. 122:

A bill to be entitled an act to protect the fresh water fishes in the fresh water lakes, ponds and other fresh water streams in the County of Marion.

Was taken up and read the second time, together with the amendments of the Committee on Game and Fisheries.

The following committee amendment was read:

Strike out of Section 3 of said bill the words, "less than fifty dollars," and insert in lieu thereof the following, "more than one hundred dollars"; also strike out of said Section 3 the words, "less than ten days nor."

Mr. Baker (20th Dis.) moved the adoption of the committee amendment.

Which was agreed to.

And the amendment was adopted.

And Senate Bill No. 122, as amended, was ordered referred to the Committee on Engrossed Bills.

SPECIAL ORDER OF THE DAY.

The hour of 11 o'clock having arrived for the special consideration of—

Senate Bill No. 35:

A bill to be entitled an act to regulate secret society

meetings, the issuing of license for the same, and providing penalties for the holding of secret meetings by members of secret societies without first having obtained license.

Was taken up and read.

Mr. McCreary offered the following amendment to Senate Bill No. 35:

Provided, That nothing in this act shall apply to the Benevolent and Protective Order of Elks.

Mr. McCreary moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Mr. Cottrell offered the following amendment to Senate Bill No. 35:

Provided, That nothing in this act shall apply to any lodge of Knights of Pythias.

Mr. Cottrell moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Mr. Buckman offered the following amendment to Senate Bill No. 35:

Provided the provisions of this act shall not apply to Masonic orders.

Which was withdrawn.

Mr. Massey offered the following amendment to Senate Bill No. 35:

Nothing in this act contained shall apply to the Grand Lodge of Free and Accepted Masons of Florida, incorporated by act of 1893, and its subordinate Lodges, and other Masonic bodies in fraternal intercourse with said Grand Lodge in this State.

Mr. Massey moved the adoption of the amendment.

Mr. Cone moved, as a substitute, that Senate Bill No. 35, with amendments thereto, be recommitted to the Committee on Judiciary B.

Which was agreed to.

And the bill was recommitted.

CONSIDERATION OF BILLS ON SECOND READING
RESUMED.

Senate Bill No. 124:

A bill to be entitled an act to repeal Chapter 5578 of the Laws of Florida, relating to the shooting of alligators and limpkins on the Ocklawaha River.

Was passed over informally.

Senate Bill No. 133:

A bill to be entitled an act for the protection of doves, and providing penalties for the violation of the provisions of this act.

Was taken up and read the second time in full.

The amendment of the Committee on Game and Fish, eries was read as follows:

Strike out of Section 2, the words "less than twenty-five dollars (\$25.00) or," also the words "or less than thirty days," where the same occur in said Section.

Mr. Baker moved that the amendment of the Committee be adopted.

Which was agreed to.

And the committee amendment was adopted.

And Senate Bill No. 133 was, under the rule, referred to the Committee on Engrossed Bills.

Senate Bill No. 139:

A bill to be entitled an act to amend Section 3773 of the General Statutes of the State of Florida.

Was taken up and read the second time in full.

There being no amendment offered Senate Bill No. 139 was, under the rule, placed on the Calendar of Bills on Third Reading without reference.

Senate Bill No. 78:

A bill to be entitled an act to amend Section 1, Chapter 5579, of the Laws of the State of Florida, for the protection and preservation of food fishes in the St. Johns river south of Jacksonville, in the State of Florida.

Was taken up, and was read the second time in full.

There being no amendment offered, Senate Bill No. 78 was, under the rule, placed on the Calendar of Bills on Third Reading without reference.

BILLS ON THIRD READING.

Senate Bill No. 55:

A bill to be entitled an act to organize a County Court in the County of Hillsborough; to prescribe its jurisdiction and power and to fix the compensation of its Judges;

Was taken up and passed over informally.

Senate Bill No. 41:

A bill to be entitled an act to exempt insurance companies organized under the laws of Florida from the payment to the State Treasurer of 2 per cent. of the gross amount of receipts of premiums from policy holders in this State.

And the bill was so recommitted.

Senate Bill No. 42:

A bill to be entitled an act providing for the confirmation by the Judge granting the order to sell real estate belonging to infants.

Was taken up and passed over informally.

Senate Bill No. 56:

A bill to be entitled an act giving the holder of a negotiable instrument the right to sue the makers and endorsers thereof jointly.

Was taken up and passed over informally.

Senate Bill No. 20:

A bill to be entitled an act to punish spitting and smoking inside of cars propelled by electricity and operating as common carriers of passengers in this State; and prescribing the duties of the common carrier operating, and the conductor or other person in charge of such car, and providing a penalty for the failure of such common carrier operating, and of the conductor or other person in charge of such car, to comply with and enforce the provisions of this act.

Was taken up and read the third time in full.

By unanimous consent, the Secretary was instructed to change the word "cupsidor" to "cuspidor" wherever it occurs in the bill.

Upon the passage of Senate Bill No. 20, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dis.), Baker (29th Dis.), Beard, Broome, Crill, Cook, Cone, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, Miller, Sams, Sloan, West, Williams, Withers.—28.

Nays—None.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule.

Senate Bill No. 62:

A bill to be entitled an act to authorize the State Board of Health to adopt, promulgate and enforce rules and regulations for the betterment and protection of the public health of the State of Florida.

Was read the third time in full.

By unanimous consent the Secretary was instructed to change the word "for" to the word "of" in the last line of Section 2 of the bill, so as to read "of the rules of said Board."

Upon the passage of Senate Bill No. 62 the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Massey, McCreary, McLeod, Sams, Sloan, West, Williams, Withers.—22.

Nays—Senators Beard, Cottrell, Girardeau, Leggett, Miller.—5.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule.

Senate Bill No. 101:

A bill to be entitled an act to amend Section 1866 of the General Statutes of the State of Florida relating to constructive service.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 101, the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Baker (29th Dist.), Beard, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Girardeau, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, Miller, Sams, Sloan, West, Williams, Withers—27.

Nays—None.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule.

The hour of 12 o'clock m. having arrived, pursuant to the action of the Senate making that hour the special order for the election of a United States Senator, the Senate proceeded to the election a United States Senator for the State of Florida, as required by the Statutes of the United States.

Mr. Beard presented the name of Hon. Duncan U. Fletcher as a candidate for United States Senator.

There being no further nominations, the roll was called and the following was the vote.

For Duncan U. Fletcher, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, Miller, Sams, Sloan, West, Williams, Withers.—29.

Hon. Duncan U. Fletcher received 29 votes for United States Senator, no vote being cast for any other person, and Hon. Duncan U. Fletcher was declared to have received the majority of votes cast in the Senate.

BILLS ON THE THIRD READING, RESUMED.

Senate Bill No. 89:

A bill to be entitled an act to provide for clerical aid for the Judge of the Sixth Judicial Circuit; and fixing the pay for same.

Was taken up and read the third time in full.

By unanimous consent the Secretary was ordered to change the word "it" to "its" in Section 4 of the bill.

By unanimous consent, Mr. Cook offered the following amendment to Senate Bill No. 89:

Insert just after the word "Sixth" wherever it appears in said bill, the words "and first" and make the word Circuit wherever it appears in said bill read "Circuits."

Mr. Cook moved the adoption of the amendment.

Which was agreed to;

And the amendment was adopted.

And Senate Bill No. 89, as amended on the third reading, was referred to the Committee on Engrossed Bills.

Senate Bill No. 23:

A bill to be entitled an act to allow the Circuit Judges to employ clerical and other aid in the discharge of their official duties.

Was taken up and read the third time in full.

Mr. Humphries moved that Senate Bill No. 23 be laid on the table subject to call.

Which was agreed to;

And so ordered.

Mr. Cone moved that Senate Bill No. 89 be recalled and be placed back on the Calendar of Bills on the Second Reading.

Which was agreed to.

And so ordered.

Mr. Dayton moved to reconsider the vote by which Senate Bill No. 58 passed the Senate.

Which motion went over under the rule.

Mr. Massey moved that Senate pass to Miscellaneous Business.

Which was agreed to by a two-third vote.

Mr. Harris moved to waive the rules to introduce a bill.

Which was agreed to by a two-thirds vote.

Mr. Harris introduced—

Senate Bill No. 190:

A bill to be entitled an act to permit and authorize suits against the State of Florida in certain cases, and directing the Court or the Judge thereof, under specified conditions, to join certain persons as plaintiffs.

Which was read the first time by its title and referred to the Committee on Judiciary A.

Mr. Massey moved that the Senate do now adjourn to 10 o'clock tomorrow morning.

Which was agreed to.

Whereupon the Senate stood adjourned until 10 o'clock a. m., Wednesday, April 21, 1909.

The following Appendix of Journal of the 14th, appears today: